



AF ZW

SUBSTITUTE for PTO/SB/31

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

<b>NOTICE OF APPEAL FROM THE EXAMINER TO THE BOARD OF PATENT APPEALS AND INTERFERENCES</b>		<b>Docket Number (Optional)</b> 57616-5017US1 (210066)	
I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postages as first class mail in an envelope addressed to "Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450" [37 CFR 1.8(a)] on <u>10/23/06</u>  Signature: <u><i>Denise Collins</i></u>  Typed or printed name: <u>Denise Collins</u>		<b>In re Application of:</b> Darwin J. Prockop <i>et al.</i>	
		<b>Application Number:</b> 09/839,711	
		<b>Filed:</b> April 20, 2001	
		<b>For:</b> STROMAL CELL USE	
		<b>Art Unit:</b> 1633	<b>Examiner:</b> Robert M. Kelly
Applicant(s) hereby <b>appeal(s)</b> to the Board of Patent Appeals and Interferences from the last decision of the examiner.			
The fee for this Notice of Appeal is (37 CFR 41.20(b)(1)) <u>\$500.00</u>			
<input checked="" type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27. Therefore, the fee shown above is reduced by half, and the resulting fee is: <u>\$250.00</u>			
<input checked="" type="checkbox"/> A check is enclosed in the amount of <b>250.00</b> for the Notice of Appeal fee.			
<input type="checkbox"/> Payment by credit card. Form PTO-2038 is attached.			
<input type="checkbox"/> The Director has already been authorized to charge fees in this application to a Deposit Account. I have enclosed a duplicate copy of this sheet.			
<input checked="" type="checkbox"/> The Director is hereby authorized to charge any fees which may be required, or credit any overpayment to Deposit Account No. <u>50-0573</u> . I have enclosed a duplicate copy of this sheet.			
<input type="checkbox"/> A petition for a three month extension of time under 37 CFR 1.136(a) (PTO/SB/22) is enclosed.			
I am the			
<input type="checkbox"/> applicant/inventor			
<input type="checkbox"/> assignee of record of the entire interest. See 37 CFR 3.71. Statement under 37 CFR 3.73(b) is Enclosed. (Form PTO/SB/96)			
<input checked="" type="checkbox"/> attorney or agent of record. Registration Number: 52,066			
<input type="checkbox"/> attorney or agent acting under 37 CFR 1.34. Registration number if acting under 37 CFR 1.34:			
		Signature: <u><i>Quang D. Nguyen</i></u>	
		Typed or printed name: Quang D. Nguyen, Ph.D.	
		Telephone Number: <u>215-988-2720</u>	
		Date: <u>October 23, 2006</u>	
NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required, see below.*			
X Total of <u>1</u> form is submitted.		01 FC:2401 250.00 OP	

